

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

John E. Tissot, II,)	
)	
Plaintiff,)	Civil Action No. 8:20-842-RMG
)	
vs.)	
)	
Andrew Saul, Commissioner of Social Security Adminstation,)	
)	ORDER
Defendant.)	
)	
)	
)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff’s application for Disability Insurance Benefits (“DIB”) and Supplemental Security Income (“SSI”). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation (“R & R”) on January 6, 2021, recommending that the decision of the Commissioner be reversed and remanded to the agency because the Administrative Law Judge (“ALJ”) failed to provide an adequate explanation for rejecting the testimony of Plaintiff regarding the intensity, persistence and limiting effects of his pain symptoms. (Dkt. No. 20 at 19). The Commissioner has advised the Court that he does not intend to file any objections to the R & R. (Dkt. No. 21).

The Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

S/ Richard Mark Gergel
Richard Mark Gergel
United States District Judge

Charleston, South Carolina
January 20, 2021